HON'BLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.7672 of 2006

Date: 20-04-2006

Between :

Pedamammu Satyam and another

…Petitioner/s.

And

The Joint Collector, Nalgonda (CS)

Nalgonda District and another.

…Respondent/s.

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ORDER :

The petitioner is the owner of the Oil Tanker bearing No.AP 24T 7400 and the same was seized and a case registered on the ground of adulteration and diverting the kerosene in the said tanker. The petitioner made an application to the Joint Collector under

Section 6-A of the Essential Commodities Act for release of the vehicle. The Joint Collector by Memo dated 24-3-2006 informed the petitioner that the seized vehicle will be released to the registered owner on producing a bank guarantee worth equal to the 100% value of the seized vehicle i.e., Rs.10-00 Lakhs. Questioning the correctness of the same, the present writ petition is filed.

Heard learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

When once it is ordered for release of the vehicle, the value of the same cannot be determined by the Joint Collector, and it can only be determined by the Motor Vehicle Inspector who has jurisdiction over the area where the Oil Tanker was seized. In view of the same, on petitioner furnishing the bank guarantee or immovable property security in favour of the Joint Collector for the value assessed by the Assistant Motor Vehicle Inspector, Nalgonda, the petitioner's vehicle should be released in his favour.

The writ petition is accordingly disposed of. No costs.

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(A.GOPAL REDDY,J)

20-04-2006.

Msr.

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(Msr)